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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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MARC DAYS and BENJAMIN HOLL,  
Plaintiffs,  
v.  
LARRY BISHOP, et al.,  
Defendants.

No. C 04-04850 CRB

**ORDER SETTING ASIDE DEFAULT  
AND GRANTING DEFENDANTS'  
RULE 56(f) REQUEST**

Now pending before the Court is plaintiffs' Motion for Summary Adjudication as to defendant Larry Bishop and Bishop's request for a continuance of plaintiffs' motion pursuant to Rule 56(f) of the Federal Rules of Civil Procedure. In light of plaintiffs' motion, the Court hereby sets aside the entry of default against Bishop. Furthermore, the Court hereby GRANTS defendants' request for a continuance. The parties may have 90 days to conduct any necessary discovery. The hearing on plaintiffs' Motion is hereby continued until July 21, 2006. The parties may submit new briefs in accordance with the Local Rules.

**IT IS SO ORDERED.**

Dated: March 21, 2006

  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

United States District Court

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For the Northern District of California